

JONES DAY

250 VESEY STREET • NEW YORK, NEW YORK 10281.1047
TELEPHONE: +1.212.326.3939 • FACSIMILE: +1.212.755.7306

DIRECT NUMBER: (212) 326-3405
SAREISMAN@JONESDAY.COM

May 5, 2020

Judge Jesse M. Furman
United States District Court
Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007

Re: Magdiela Gonzalez v. GOJO Industries, Inc., No. 20-cv-00888 (JMF) (S.D.N.Y.)

Dear Judge Furman:

We represent defendant GOJO Industries, Inc. (“GOJO” or “Defendant”) in this action, and we write jointly with the consent of plaintiff Magdiela Gonzalez (“Plaintiff”) to request an adjournment of the initial pretrial conference scheduled for May 14, 2020. (Dkt. Nos. 5, 8.) As set forth below, GOJO presently expects to file a motion to dismiss the complaint on or before the answer date of June 23, 2020. In anticipation of such a motion, the parties have conferred and agreed upon a proposed briefing schedule for that motion. In that regard, we request an adjournment of the initial pretrial conference to a date after the motion to dismiss is fully briefed. *Id.* For these reasons, we also request an adjournment of the deadline to submit a Civil Case Management Plan and Scheduling Order on or before May 7, 2020. GOJO has not been served with the Court’s February 4, 2020 order establishing either of these deadlines. (Dkt. No. 5.) The parties have not made any prior request for an adjournment in this proceeding.

Plaintiff filed the Waiver of Service of Summons in this case on April 28, 2020. (Dkt. No. 7.) Based on its initial review of the allegations and claims in the complaint, GOJO intends to file a motion to dismiss the complaint in its entirety on or before June 23, 2020. *Id.* The parties have conferred and agreed upon a proposed briefing schedule for GOJO’s motion to dismiss with the following deadlines: any motion to dismiss the pending complaint will be filed by the current answer date of June 23, 2020, any opposition to this motion to dismiss by Plaintiff will be filed no later than July 23, 2020, and GOJO’s reply to any opposition will be filed no later than August 12, 2020. If Plaintiff elects to file an amended complaint prior to the answer date she will so notify GOJO no later than June 9, 2020 and the parties will meet and confer in good faith with regard to a new proposed schedule. Neither party is thereby waiving any right that it has under the Federal Rules of Civil Procedure.

The terms of this proposed schedule are set forth in the attached Stipulation and (Proposed) Order Continuing Initial Pretrial Conference and Setting Briefing Schedule on

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Defendant's anticipated motion to dismiss. We thank the Court in advance for its consideration of these requests.

Respectfully,

/s/ Sharyl A. Reisman

Sharyl A. Reisman

cc: Counsel of record (via ECF)